

REMARKS

Claims 1, 3-11, 13-22, 24-33, 35-44, 46-55, 57-76, 78-87 and 89-119 are pending in this application. By this Amendment, Claims 1, 11, 22, 33, 44, 55, 75, 87 and 99 are amended. Claims 87, 89-98 and 116-117 have been withdrawn from consideration. No new matter has been added. Reconsideration based on the foregoing amendments and the following remarks is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. Interview

Applicant appreciates the courtesies shown to Applicant's representative by Examiner Heckenberg in the July 27 personal interview. The points discussed are incorporated into the following remarks.

During the personal interview, Examiner Heckenberg indicated that amending claims 1, 11, 22, 33, 44, 55, 75, 87 and 99 to clarify which portions of longitudinal edges are being spaced apart over at least a part of the length of the mold should satisfy the requirements under 35 U.S.C. §112, first paragraph and distinguish over the cited references. Claims 1, 11, 22, 33, 44, 55, 75, 87 and 99 are amended accordingly.

II. Allowable Subject Matter

Applicant gratefully acknowledges that the Office Action indicates that claims 80, 81 and 101 are allowed.

III. Rejection Under 35 U.S.C. §112, First Paragraph

The Office Action rejects claims 1, 3-11, 13-22, 24-33, 35-44, 46-55, 57-76, 78-79, 82-86, 99, 100, 102-115, 118 and 119 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicant respectfully traverses this assertion.

The Office Action asserts that there is no description of the longitudinal edges not touching each other over a major part of their length in the originally filed disclosure. Thus, the Office Action asserts that these features recited in the claims constitute new matter. Claims 1, 11, 22, 33, 44, 55, 75, 87 and 99 are amended herein to recite "portions of the edges adjacent to a periphery of the mold being spaced apart over at least a part of the length prior to deformation of the mold," thus removing the negative limitation "not touching."

In establishing a disclosure, Applicant may rely not only on the specification and the original claims, but may also rely on the drawings. See MPEP §608.04. 37 C.F.R. §1.84 provides that hatching must be used to indicate section portions of an object. See 37 C.F.R. 1.84 (h)(3). Fig. 1 shows an axial section of a mold taken along a longitudinal direction of the mold, including a hatched portion showing a section of the mold. See Fig. 1; page 3, lines 19-20. No portion of the longitudinal recesses 12 (including their edges) are hatched. One of ordinary skill in the art could reach no conclusion other than that no portion of the longitudinal recesses 12 occupies the plane shown by hatching in Fig. 1. The edges of the longitudinal recesses 12 shown in Fig. 1 could not touch the adjacent edges unless some portion of those edges existed in the plane shown by hatching. Accordingly, Fig. 1 provides

explicit disclosure of portions of the edges adjacent to a periphery of the mold being spaced apart over at least a part of the length prior to deformation of the mold.

Fig. 2 shows a fragmentary cross-section along plane II-II of Fig. 1. See page 3, lines 21-22. In Fig. 2, each longitudinal recess 12 has two opposing longitudinal edges. Since Fig. 2 does not show any dashes between the two edges of the longitudinal recess 12, one of ordinary skill in the art would consider the edges of the recess 12 to be spaced apart over at least a length of the mold 1, which extends between the plane II-II and the bottom of the mold 1 in Fig. 1, prior to a deformation of the mold. As admitted in the Office Action, Fig. 2 shows that the opposing edges are spaced apart. See Office Action page 3. The Office Action asserts that because Fig. 2 is a "fragmentary cross section," that there is no suggestion that this structure is carried through the length of the mold. This interpretation of what Fig. 2 shows is squarely at odds with the instant specification. The specification states that "the recesses extend longitudinally over substantially the entire height of the mold..." See page 2, lines 32-33. Notwithstanding the Office Action's speculation, there is no reason to suppose that the recesses would have a vastly different structure at other cross-sections. In fact, the specification suggests the opposite conclusion.

Sufficiency of written description is not judged based on what interpretations are possible, but rather on what interpretation would be given by one of ordinary skill in the art. It is respectfully submitted that the above features are amply supported by the figures and instant specification, and that one of ordinary skill in the art would readily appreciate that Applicant was in possession of the claimed subject matter at the time of filing.

Accordingly, the disclosure fully describes the subject matter of claims 1, 11, 22, 33, 44, 55, 75 and 99. Claims 3-10, 13-21, 24-32, 35-43, 46-54, 57-74, 76, 78-79, 82-86, 100 and 102-115 are rejected solely for their dependency from claims 1, 11, 22, 33, 44, 55, 75 and 99. Thus, reconsideration and withdrawal of the rejection is respectfully requested.

IV. Conclusion

For the foregoing reasons, Applicant submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3-11, 13-22, 24-33, 35-44, 46-55, 57-76, 78-87, 89-119 are respectfully requested.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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